

**REMARKS****RECEIVED  
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These Remarks and the accompanying Amendment are intended to reflect the substance of the 12/13/2006 telephone conference between Examiner Christopher M. Koehler and Attorney Paul S. Rooy. As briefed in that conference, the accompanying Amendment cancels the non-elected claims and the substance of those claims which were rejected under 35 U.S.C. § 102. The remainder of the claims either contain the limitations of the claims which were rejected under 35 U.S.C. § 103 or depend upon these claims. Given that attached Second Declaration of Mathew R. Roth serves to overcome the § 103 rejections, the remaining claims should now be in condition of allowability.

Specifically, claims 1 has been amended to include the limitations of claim 2. Claim 19 has been amended to include the limitations of claim 20. Claims 2 and 20 are herewith canceled. The Second Declaration of Mathew Roth (5 pages) is attached hereto, establishing a nexus between the commercial success of the invention and the limitations of claims 1 and 19 as presented in the accompanying Amendment, namely the step of selecting which surface of each leaf should be visible.

If claims 1 and 19 as presented herein are allowable, so then are their dependant claims 3 – 7 and 20-22. Claims 26 – 29 are allowable, per the Office Action mailed 9/28/2006. Non-elected claims 8 – 18, 23 – 25 and 30 are herewith canceled.

As a result of the accompanying Amendment and Second Declaration of Mathew Roth, it is anticipated the remaining claims 1, 3 – 7, 19, 20 – 22 and 26 – 29 are allowable.

The following remarks are directed to Page 2, Par. 1 of the Office Action mailed 9/28/2006:

The accompanying Amendment cancels non-elected claims 8 – 18, 23 – 25 and 30.

The following remarks are directed to Page 2, Par. 2 – Page 6 Par. 14 of the Office Action mailed 9/28/2006:

Claims 1 has been amended to include the limitations of claim 2. Claim 19 has been amended to include the limitations of claim 20. Thus the obviousness rejections contained in the Office Action mailed 9/28/06 now apply to claims 1 and 19 as presented in the accompanying Amendment, because these claims contain all the limitations of claims 2 and 20 respectively, as previously presented. The accompanying amendment cancels now redundant claims 2 and 20.

The instant method step which has contributed immensely to the success of the instant invention is the step of step of selecting which surface of each leaf should be visible. The Office Action mailed 9/28/06 observes that a nexus between the considerable commercial success of the instant invention and the method defined by the claims is necessary to overcome the 35 U.S.C. §103 rejections. This nexus is provided by the evidence contained in the Second Declaration of Mathew Roth, att'd.

The aesthetic appeal of the pieces is one of the most important aspects valued by customers. See Second Declaration of Mathew Roth ¶ 5. Sales more than doubled since introduction of the instant invention. See Id., ¶ 8. The increase in sales was due to the instant invention, not increased advertising or applicant's market share. See Id., ¶¶ 8, 9, and 16.

To the contrary, the huge increase in sales was due to the instant invention's claimed step of selecting which surface of a leaf should be visible in the finished leaf display. See Id., ¶¶ 9 - 17. Customer feedback has been that the commercial success has been due to the pleasing visual effect of having different colored leaves, depending on which side is facing outwards, on the leaf displays. See Id., ¶¶ 12 (second), 14, and 15.

This step is claimed in claims 1 and 19 as presented in the accompanying Amendment. Therefore, the requisite nexus between the claims and the commercial success is established by

the attached Second Declaration of Mathew Roth, and these Remarks. Applicant respectfully requests reconsideration and withdrawal of the rejections.

Because claims 3 – 7 and 21 – 22 depend on these claims, if claims 1 and 19 are allowable, so also are dependent claims 3 – 7 and 21 – 22. Claims 26 – 29 being previously allowed by the Office Action mailed 9/28/2006, Applicant believes claims 1, 3 – 7, 19, 21 – 22, and 26 – 29 are now in condition of allowability.

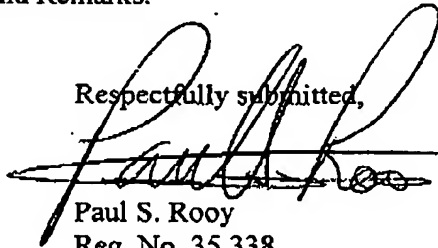
The following remarks are directed to Page 6, Par. 15 – Page 7 Par. 19 of the Office Action mailed 9/28/2006:

Noted.

### CONCLUSION

Applicant requests reconsideration and withdrawal of the rejections. Per the 12/13/06 telephone conference between Examiner Koehler and Attorney Rooy, Examiner Koehler graciously offered to call Attorney Rooy after reviewing this Amendment and Remarks to resolve any details standing in the way of approval of those claims that are substantially in condition of allowability as a result of the accompanying Amendment and Remarks.

Respectfully submitted,

  
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I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office fax No. (571)273-8300 on 12/13/2006.

  
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